

October 12, 2015

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Re: Draft of Amendments to the CEQA Guidelines

Our organization, Sunset-Parkside Education and Action Committee (SPEAK), has the following comments on the proposed CEQA amendments:

### **WATER SUPPLY ANALYSIS IN CEQA**

Sunset-Parkside Education and Action Committee (SPEAK) in San Francisco supports amending the CEQA checklist in Appendix G to reflect new realities in California's water supply. Adding "and reasonably foreseeable future development during normal, dry and multiple dry years" to the "have sufficient water supplies available to serve the project" reflects these new realities.

This is especially critical for municipalities such as San Francisco which have a single source of water. San Francisco's single source of water is Hetch Hetchy. The Rim Fire spread to the edge of the Hetch Hetchy Reservoir and temporarily disabled one of its dams.

Based on *Vineyard Area Citizens for Responsible Growth v City of Rancho Cordova*, CEQA now requires that consultation and documentation must occur between water suppliers and lead agencies. It now requires that a water supply analysis provide enough information to the lead agency to evaluate the pros and cons of providing water to the project. It also requires that the magnitude of variability in water supply be disclosed.

However, it does not require that the results of these consultations and analyses be reported in the EIR for review by the general public. In an era when water issues are likely to become even more contentious, SPEAK recommends that this information be released to the general public for review. SPEAK also recommends including cumulative effects information in the EIR. This would include not only the effect of a specific project on water supplies, but the effect on water supplies of other projects in the pipeline.

It is SPEAK's understanding that each water agency is allowed to have its own methodology for water supply analysis. SPEAK recommends that OPR work with the Department of Water Resources to establish baseline standards for water supply analysis. SPEAK further recommends that water agencies should provide the Department of Water Resources, OPR and the general public with all information relating to the methodology that was used. The water agency should also demonstrate that the methodology used is based on sound science and best practices. This information should also be available to the general public.

### **TRANSIT ORIENTED DEVELOPMENT EXEMPTION**

SB743 appears to have a one size fits all approach for transit oriented development using Sacramento as the baseline. This one size fits all approach could have unintended consequences.

Although Sacramento's urban design mirrors most of California cities, San Francisco's does not. According to the US Census Bureau, San Francisco is the second most densely populated city in the country. San Francisco also has one of the oldest and largest transit systems in California. San Francisco Municipal Railway (Muni) is over 100 years old. Muni has 75 transit lines with more than 3,500 transit stops. Muni has 702,000 weekday boardings (on average) and 3 million hours of transit service annually. Its fleet has 1,053 service vehicles. San Francisco also has a Transit First policy which has been in effect for a number of years. Transit maps appear to indicate that over 90% of San Francisco's landmass is within ½ mile of established transit.

The stated purpose of this exemption is to encourage transit oriented development not penalize municipalities which have already achieved this goal. If over 90% of San Francisco is within ½ mile of transit then over 90% of San Francisco could potentially be eligible for CEQA streamlining. This could have a disproportionate impact on a single municipality. CEQA guidelines should account for this anomaly.

Finally, SPEAK is opposing the recommendation of exempting certain types of projects that are consistent with a specific plan from further CEQA review. In San Francisco, certain area and neighborhood plans e.g. the Eastern Neighborhoods Plan have had mixed results. Requiring CEQA review for individual projects within a plan area creates a system of checks and balances that should be retained.

## **BASELINE**

The baseline guidelines do not take into account the possibility of prolonged lag times between the DEIR and the FEIR. These prolonged lag times could be the result of economic conditions, issues with the project sponsor or the complexity of the project.

There have been instances in San Francisco when the FEIRs have been submitted with data that was seven (7) years old.

CEQA should have provisions for this possibility and require project sponsors to provide data that is current. Current could be defined as data that is four (4) years old or less.

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